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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/357,836	07/21/1999	LISA T. WOOD	032374-003	9787

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EXAMINER

HAILU, TADESSE

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 06/04/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/357,836

Applicant(s)

Lisa T. Wood, et al.

Examiner

Tadesse Hailu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Mar 11, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6, 8-10, 13, 15-24, 26-30, and 32-85 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-6, 8-10, 13, 15-24, 26-30, 32-49, 84, and 85 is/are allowed.
- 6) ☒ Claim(s) 50-55, 57-71, and 73-83 is/are rejected.
- 7) ☒ Claim(s) 56 and 72 is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 14 6) ☐ Other:

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DETAILED ACTION

1. This Office Action is in response to an Amendment entered 3/11/2003 for the patent application (09/357,836) filed on 07/21/1999.

Status of the claims

2. Claims 2-6, 8-10, 13, 15-24, 26-30, 32-85 are pending.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. claims 82 and 83 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 82 recites the limitation "the operation" in line 6. There is insufficient antecedent basis for this limitation in the claim. Furthermore, the preamble of the claim is not clear, comma should be inserted after "a web page".

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another

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who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 50-55, 57-71 and 73-83 are rejected under 35 U.S.C. 102(e) as being anticipated by Scott et al (6,489,980).

The present invention is directed to a transportation and Internet publishing of digital content, particularly, image media objects and rich media. Similarly, Scott provides a method and apparatus for allowing a user to upload objects to a World Wide Web server over the Internet and for automatically and immediately making the objects available for downloading over the Internet by client computers running web browser, without intervention by user/administrator (see Scott: Field of the invention).

Scott further teaches the claimed subject matter of the present invention as follows: as described above, Scott discloses an uploader, wherein a web page for maintaining and acquiring a media object is disclosed (Abstract). The uploader further includes processing, such as automatic dissemination of objects prior to uploading the object (video, text, image, or audio) to the server (column 3, lines 20-22, column 4, lines 17-41) (claim 50). The web page includes interface object 20, an integrated graphical

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user interface for placing the object, such as via drag and drop of the icon wherein this GUI is integrated (embedded) in the web page (column 6, lines 45-55) (claims 51 and 52). The web page includes HTML code for acquiring an object (column 6, lines 31-55) (claim 53), wherein the interface object 20 (acquisition software) includes identification information of the object to be transmitted or uploaded from a client computer to server computer (column 10, lines 57-61) (claim 54). The interface object includes a software code such as Java application and algorithm (column 5, lines 52-column 6, lines 30) (claim 55). The server enables the object to be displayed in a target web page (Abstract, column 6, and lines 56-60) (claim 57). As described above the web page includes the interface object 20 (media object acquisition software) which is a drag and drop interface integrated into the web page (column 5, lines 52-65, column 6, lines 31-55) (claims 58 and 59). The prior art further describes posting and downloading various file type, such as text, graphic, video (column 2, lines 19-24) of an object, wherein one is able to change the file type during posting or downloading (claim 60). The byte size of the object to be uploaded can be seen on the display object 40; the upload object and display object will then update the upload screen (column 7, lines 9-56, Fig. 7) (claim 61). The local computer displays the web page using a browser (Abstract, fig. 8) (claim 62), wherein the media object can be any type of digital image, such as text, graphical, video (column 2, lines 19-24) (claim 63). Pressing upload button displayed in the web page launches the upload dialog (fig. 6) for editing, such as editing the file description, then user clicks the

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upload button again for submitting the file to be uploaded (column 6, line 56-column 7, lines 36) (claims 64 and 65)

Claims 66-71, 73-81 correspond generally to claims 50-55, 57-65 respectively, and recite similar features in storage medium form, and therefore are rejected under the same rationale.

Allowable Subject Matter

7. Claims 2-6, 8-10, 13, 15-24, 26-30, 32-49, 84, and 85 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to teach the combination of claim elements including the media object identifier being embedded within third-party web site, the media object identifier and pre-processing the media object by the media object identifier for the requirement of the third-party web site of independent claims 15 and 48. The prior art of records further fails to teach the combination of claim elements, among other things, including pre-processing the media object by the media object identifier for the requirement of a web site of independent claims 16 and 49.

8. Claims 56 and 72 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to teach the combination of claim elements including

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the web page contains parameters used by the media object acquisition software to control the pre-processing of claims 56 and 72 .

Thus, prior art neither renders obvious nor anticipates the combination of claimed elements in light of the specification.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Tadesse Hailu*, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 10:00 - 8:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, *John Cabeca*, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51.

11. The fax numbers for Technology Center Group 2100 are as follows: After-Final (703)746-7238, Official (703) 746-7239, and for Non-Official/Draft (703) 746-7240.

12. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadesse Hailu

May 27, , 2003



JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100